3616

IFW Image

Dr. -Ing. Giok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein
Germany

phone/fax +49 6126 8949

OIPE JC83 SEP 02 2004 PATENT & TRADEMARK OFFICE

Registered

Mrs. Deanne L. Draper
USPTO
Art Unit 3616

Office Action Summary mailed 06/16/2004
09/554,463 "Multi-point seat belt"
Docket No.: G6A2

Dear Mrs. Draper 2004-08-26

Thank you for having examined all my four previous substitute appls. in quick mode and described the paragraphs.

For your convenience the relevant documents are listed in the following table:

Paper	mm/dd/yy	Document	Theses
E1	04/19/2000*USA	Submittal of the application PCT/DE98/03270 to USPTO	Translation of PCT/DE98/03270 (WO 99/24294, EP 1 037 773 B1, etc.)
E8	10/24/2003*USA	Divisional appl. in 1st version	
E9	01/20/2004	2nd OAS (Office Action Summary)	
E10	01/28/2004	Registered letter to Mrs. Draper	Amended drawing sheets 8/2a, 8/2b, 8/3 and 8/4; CIPO > "PRIOR ART",
E11	02/19/2004	Facsimile to Mrs. Draper	Subdivision into four appls
E12	03/07/2004; 03/09/2004	Facsimile to Mrs. Draper	Planning to extend the number of claims in regard to submarining and shoulder belt deflector etc.
E13	03/15/2004	Discussion with Mrs. Draper during my phone call	Her consent to my plan according to E12
E14	03/19/2004; 04/01*Go	Interview Summary of Mrs. Draper and Mr. Dickson	No objection to my plan
E15	03/24/2004; 04/05*USA	Submittal of the amended divisional appl. in 2nd version	Amended claims 42 – 73 and extended claims 74 – 77 and 78 – 90
E16	04/01/2004	Facsimile to Mrs. Draper	Reinstating the correction of the results of the discussion with her 03/15/2004 and her consent
E17	06/16/2004	3rd OAS	

*USA = day of being registered by USPTO

*Go = = day of being delivered to Go by the postman

09/07/2004 HMEKONEN 00000128 09554463
01 FC:2202 45.00 OP

Dr.-Ing. Giok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein
Germany

I) Specification of (E17) to title of 09/554,463

Do you agree with the following title for all the four substitute appls.?

This is an application of US-serial number (for example 09/554,463) related to a division of an international application number PCT/DE98/03270 (WO 99/24294, European Patent EP 1 037 773 B1, German Patent DE 197 49 780 C2) filed Nov. 10, 1998. Otherwise, please send me your correction.

II) Drawing Changes

In compliance with CIPO's request for enlarging and detailing the Fig. 2, changing the label "Prior Art" into "PRIOR ART" and due to correcting the erroneous reference number 3.6a into 3.6 and denoting a reference number 5.9 to the aperture of shoulder belt deflector and adding Fig. 13a, which corresponds to the original Fig. 13, I filed to you as well as USPTO the amended drawing sheets 8/2a, 8/2b, 8/3, 8/4 and 8/6. In contrary to your view all the *figures are* identical with the *original* ones (E1) despite small changes and most of the reference numbers in the specification, figures and claims remain *unchanged*. If there have been changes, they are not identical at all.

I thank you very much for the explanation on how to process drawing changes at USPTO. Please find enclosed the Annotated Marked-up Drawing Sheets, in which all changes and explanatory marks are written, and Replacement Sheets.

Dr.-Ing. Gtok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein

III) Election and Restrictions and Allowable Subject Matter

The appl. (E15), containing the extended Claims 74 – 77 regarding shoulder-belt portion guiding device as well as the extended Claims 78 – 90 regarding submarining, was filed to USPTO for the following reasons:

Due to the disclosure of "shoulder-belt deflector" for belt deflector 5, 5b or D-ring 12 (Figs. 1, 13)" in pp. 2, pp. 6/line 6, pp. 7/line 3, pp. 11/line 30, pp. 12/line 3 and pp. 15/lines 8 and 9 of the appl. (E8) and in the translated appl. (E1), you have cited two references US 5,599,070 and US 6,145,881, both solely addressing shoulder-belt deflectors. Logically, I had to response thereto and describe the superiority of my shoulder-belt deflector thereto, advantages, novelty, feasibility and applicability in the specification as well as in Claims. To discuss it and other subjects and request your permission, I sent you a facsimile (E12) twice, which Mr. Dickson has read too. During my phone call (E13) you gave the consent on the subjects "submarining and shoulder-belt deflector", my proposal for "lap OR shoulder-belt portion", etc. In your Interview Summary (E14) you and Mr. Dickson have repeated again your view on "lap AND shoulder belt (portions)", which is corrected again into "lap OR

shoulder belt (portion)" in my facsimile (E16) and the appl. (E15). Therewith you agreed (E17). Thank you. Unfortunately, in your 3rd OAS (E17), you and Mr. Dickson withdrew your permission for the extended Claims 74 – 90 regarding "submarining" and "shoulder-belt deflector". Allow me please to raise the question:

If you both had your objection thereto, why have you

1. *cited* both references US 5,599,070 and US 6,145,881 *and insisted* I reply thereto and
2. *changed* your mind and decided that they have *nothing* to do with multi-point seat belts *anymore*?

Doubtless, your permission is correct because of

a) the necessity for processing both references in association with the extended Claims 74 – 90 thereto;

b) the subject "shoulder-belt deflector" in above-mentioned pages;

c) the subject "submarining" in pp. pp. 2/line 10, pp. 3/line 30, "both thighs and the lower body-part of the body to prevent submarining (Fig. 12b)" in pp. 4/line 29, "the anti-submarining buckle assemblies 7, 8, 8a to 8d (Figs. 1, 12b)," in pp. 13/line 6 and "submarining-force S_y" found in Fig. 12b of the (E8) and in the translated appl. (E1);

d) the non-final action, in which the extended Claims in reference to the disclosure in the specification are permitted, as you explained to me during the phone call (E13) as well as your remarks in your Interview Summary (E14) such as "*since he is not under final, he can make an amendment* ". " *he would have to make those changes in his reply* "; and

e) the principle object of the present invention to restrain a passenger in multi-attachment points, lower and distribute the acceleration-dependent loads to the multi-attachment points in the event of **any** accident or during in-flight turbulence, *in which the shoulder-belt deflector and the anti-submarining seat-belt assembly are capable of averting strangulation and submarining. How can a belted passenger be protected from strangulation and submarining?*

Summary:

To satisfy you and Mr. Dickson I withdraw the Claims 74 – 90 related thereto, but replace with Claims related to Multi-point seat belts. See Chap. V)

Dr.-Ing. Giok Djien Go
Pfahlgrabenstr. 45

IV) Claim Rejections

Your quotation in (E17) "the applicant has amended Claim 42 (E15) to include a stiff third transport-system" and "the "stiff" description was **not** disclosed in the specification (E8) at the time.. " is wrong! Please review evidence therefor:

IVa) Your **new** finding/quotation (E17) *contradicts to* the knowledge you both gained **after** having thoroughly read several months ago the definition of attachment points in reference to "Stiff first transport-system member", "Stiff second transport-system member" and "Stiff third transport-system member" in the table of (E8) in pp. 2 and 3 and in Claim 1 of (E8). Thanks to that clear, concise and exact definition experts, like you both, Mr. John Hammerschmidt, Acting Chairman of NTSB, and managers/ experts of FAA, NTHSA, EU, Transport Canada and car- and aeroplane makers as well as non-experts can easily imagine that at least *four stiff transport-system members*, suited for receiving attachment points according to the principle object (E8; E15), are needed to define a pair of lower attachment points, located on both seat-sides, from which the multi-point seat belt is extended crosswise in an X-shape over the upper part of the body to the other pair of upper attachment points. In his letter Mr. Thomas A. Boudreau, Manager of FAA Brussels Aircraft Certification Staff, has **termed** *those four attachment points a new design type*. Owing to that profound knowledge you both wrote in the 2nd OAS (E9) **only** the rejection of the Claim 42 such as "assemblylocated", "lap AND shoulder belt portions" and "which". In compliance with your verdict "the subject matter of the claims appears to be allowable if the rejections under 35 USC 112 can be overcome" (E9), all your claim rejections in Claim 42 and other Claims of the appl. (E15) were overcome.

Dr.-Ing. Gink Djien Go
Pfaffi... 45
D-65510 Idstein
Germany

IVb) You did **not** make the above-mentioned claim rejections during our discussion (E13) on 03/15/2004.

IVc) Logically, you and Mr. Dickson, having fully agreed with my definition of attachment points, above-mentioned, did **not** outline those claim rejections in the Interview Summary (E14) at all.

IVd) USPTO had no claim rejections to the following phrases in indefinite, unclear, inaccurate terms:

1. In pp. 5 / line 31 of US 6,179,329 B1 "the harness is attached to the seat at *four points*".

 In Claim 1 "a lap belt attached to a *side vehicle*[1] *attachment point*", "a shoulder guide attached to *a top vehicle attachment point*[2]".

 In Claim 5 "a right lap belt attached to *a right vehicle attachment point*",

 "a left lap belt attached to *a left vehicle attachment point*", and

 "a neck lead-in strap attached to *a top vehicle attachment point*".

 In Claim 10 "... of the right lap belt attached to *a right vehicle attachment point*",

 "..of the left lap belt attached to *a left vehicle attachment point*",

 "..attached to *a left upper vehicle attachment point*", and

 "..attached to *a right upper vehicle attachment point*".

 In Claim 12 "...between *the left upper vehicle attachment point and the right upper vehicle attachment point*".

 In Claim 17 "...shoulder guides are attached to *an upper vehicle attachment point*".

2. In Claim 1 of US 5,524,928 "a left shoulder web securable to a *portion*[3; 4] of said vehicle", "web couplable to *a left lateral area*[5] of said vehicle", and

 "web couplable to *a right lateral area* of said vehicle".

3. In pp. 6 / lines 31-32 and pp. 7 / lines 15-16 of US 6,705,641 B2 "...lap belt may be attached to *a portion (see footnote 4)* of the vehicle" and "..distal ends may be attached to *other areas*[6; 7] within[8] a vehicle".

 In Claims 1 and 20 there is no definition *to which stiff members* of a vehicle the lap- and shoulder belts are attached although an occupant's abdomen is in reference to the cinching

Dr.-Ing. Giok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein
Germany

[1] This contradicts to the definition (*seat*) in the Specification
[2] Why has USPTO allowed this generalized definition and the others?
[3] Why has USPTO allowed these indefinite, unclear, inaccurate terms?
[4] Is a vehicle defined by portions?
[5] Why has USPTO allowed these indefinite, unclear, inaccurate terms?
[6] Is a vehicle defined by areas, suited for soccer- or football fields ?
[7] Why has USPTO allowed these indefinite, unclear, inaccurate terms?
[8] Never in my life, I've ever learned that areas are within a vehicle. All three US Agencies, FAA, NTSB and NHSTA can't understand such definitions.

mechanism. How can the inflatable seat belt systems, ***not attached to any member of a vehicle***, protect the vehicle's passengers?

Summary:

Doubtless, you and Mr. Dickson have fully agreed with my clear, concise and exact definition, thanks to which, far better than all the above-mentioned phrases, you, experts, FAA-, NTSB-, NHSTA-experts/managers/chairperson/chairman and non-experts, better understand the full scope of my inventions written in the previous, amended (E8, E15) and current appls.

V) Conclusion

In response to the 2nd OAS (E9) and with your permission I submitted to you an amended appl. (E15) on which you should have granted patent. Your verdict in the 3rd OAS (E16) in the final status (E16) is incorrect. Hence, I may reverse the final status into the **non-final** one (E9), thanks to which I substitute another Claims and Claims of US 10/690,742 for the Claims 74 – 90, for which I had already paid. No inventors, world-wide, have ever filed to USPTO dependant Claims concerning energy-absorbing multi-point seat belts.

Allow me please to introduce to you my accident survey, in which all three US Agencies and the EU have great interest, as well as my German, European and Canadian patents and Canadian and US-pending patents, characterized by *new design types* I have to develop into specifications/requirements and submit them to FAA, NHSTA and NCAP Consortium upon their request. I have to postpone this work due to the never-ending amendments I have to make to my US-patent applications. Motor vehicle crashes cost your country a total of $ 230.6 billion in 2000. See "The economic impact of motor vehicle crashes: 2000" visit NHSTA'S website at www.nhsta.dot.gov. Beyond doubt, this societal cost and injury severities can be reduced **only** by my patents, pending patents and my coming patent applications. See letters of NTSB's Chairman, FAA's Chairperson, FAA's managers and EU-Legislators as enclosures of my letter regarding US 10/690,740; G6A1 to you. Positive verdicts have been issued by AUDI, PAG, Ford's Premium Automotive Group, comprising Volvo, Aston Martin, Jaguar, Lincoln and Land Rover, Lufthansa etc. on my patents, work etc.

If my patented Claims had infringed theirs, the German and European Patent Offices had ordered me omit them in the patent docs, you received, reissue amended patent docs. and fired the examiners on the spot. For example, EP 1 037 773 B1 (B for Patent; 1 for the 1st issue) should be reissued into EP 1 037 773 B2 (2 for the 2nd issue) if the controversial claims, listed in EP 1 037 773 B1, were correct to be omitted in accordance to the Board of Review upon the objection of a car corp.

May I ask you for help and assistance please? Thank you.

Dr.-Ing. Glok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein
Germany

VI) Balance sheets of all four appls. 10/690,740, 09/554,463, 10/690,741 and 10/690,742.

For the 41 Claims of 09/554,463, (E1), a total sum of $ 311 was already paid. See attached.

TC = Total Claims
IC = Total independent Claims

Appl. No	*Docket. No*	*TC*	*IC*	*Amount*	*Balance*
09/554,463	G6A2	(41-20) x $11	(5-3) x $40	$311	
		- (40-20) x $9	(1-3) x $42	- $180	$131
10/690,740	G6A1	(15-20)	(1-3)		
		- (25-20) x $9	(1-3)	- $ 45	- $ 45
10/690,741	G6A3	(30-20) x $9	(2-3)	$ 90	
		- (21-20) x $9	(3-3)	- $ 99	- $ 9
10/690,742	G6A4	(20-20) x $9	(2-3)		
		(25-20) x $9	(1-3)	- $ 45	- $ 45
				"Total sum"	*$ 32*

In reference to "Total sum" I have $ 32 standing to my credit at USPTO now.

VII) Patent Allowance Fees

Would you like explain me which fees I have to pay in case of Patent Allowance:

Fee Code	37 CFR	Description	Small Entity Fee
195	1.18(d)	Publication	300
183/283	1.20(e)	Due at 3.5 years	440
184/284	1.20(f)	Due at 7.5 years	1,010
185/285	1.20(g)	Due at 11.5 years	1,550

Any thing else?? Why is the fee 185/285 the highest among the Patent Maintenance Fees? In case of 183/283 is the Patent Maintenance Fee due in 2004 plus 3.5 years?

Thank you for your attention and all your help in advance.

Kind regards

Go Gogiok ajian

Attached
Substitute appls. in single and double space, Figs., marked-up document, Annotated Marked-up Drawing and Replacement Sheets
letters of NTSB's Chairman, FAA's Chairperson, FAA's managers, of. Thomas A. Boudreau and EU-Legislators.

Dr.-Ing. Giok Djian. GR
Pfahlgrabenstr. 45
D-65510 Idstein
Germany

National Transportation Safety Board
Washington, D.C. 20594

Office of the Chairman

FEB - 5 2003

Dr. - Ing. Giok Djien Go
Pfahlgrabenstr 45
D-65510 Idstein
Germany

Dear Dr. Go:

Thank you for your letter of December 25, 2002, regarding the seatbelt that you have designed, which you suggest will provide a more effective passenger restraint system than is currently available in automobiles or aircraft.

The National Transportation Safety Board is an independent Federal agency mandated by the U.S. Congress to investigate transportation accidents, determine the probable cause(s) thereof, and make recommendations to prevent future accidents. The Safety Board is not authorized to endorse or recommend products or to conduct or sponsor research and development activities. Therefore, you may want to contact the following officials at the Federal Aviation Administration (FAA) and the National Highway Traffic Safety Administration:

Mr. Nelson J. Miller, Manager
FAA Technical Center
AAR4
Aircraft Safety Research Branch
Atlantic City Airport, New Jersey 08405

Mr. James Saunders, Room 6226
Applied Research
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, DC 20590

Thank you for your interest in transportation safety.

Sincerely,

John Hammerschmidt

John A. Hammerschmidt
Acting Chairman

800 Independence Ave., S.W.
Washington, DC 20591

Office of Aviation Research

Federal Aviation Administration

Fax

To: Dr. Ing Giok Djien Go

From:
Phone: (202) 267 – 9251
Fax: (202) 267 - 5320

Pages: 1

Date: Feb. 21, 2003

Re:

☐ **Urgent** x **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Dr. Go,

You may contact Dr. Nelson J. Miller with the following information:

Dr. Nelson J. Miller
FAA William J. Hughes Technical Center
AAR-400/Aircraft Safety Research Branch
Atlantic City Airport, NJ 08405
Office Phone: (609) 485-4464
Fax Phone: (609) 485-4005

BEST AVAILABLE COPY

U.S. Department
of Transportation

**Federal Aviation
Administration**

**AIRCRAFT CERTIFICATION STAFF
c/o American Embassy
27, Boulevard du Regent
B-1000 Brussels, Belgium**

July 3, 2003

In reply refer to: TAB/ndm:07/03/03:0085:03

Dr. Ing. Giok Djien Go
Pfahlgrabenstraβe. 45
D-65510 Idstein
Federal Republic of Germany

Dear Dr. Ing. Giok Djien Go:

This is in reply to your letter of June 24 in which you expressed a number of crashworthiness concerns, requested a point of contact at the Boeing Company, and inquired whether this office could certify your crashworthiness-related patents. Attached to your letter were various documents regarding crashworthiness concerns, information relative to your patented designs, and various reference letters.

The Federal Aviation Administration (FAA) certifies the design and production of aircraft, aircraft engines, and propellers in accordance with procedures contained in 14 Code of Federal Regulations (CFR) Part 21. In certifying a design, the FAA ensures the design complies with airworthiness standards (safety and crashworthiness) appropriate to the product. For large transport airplanes, these standards are contained in 14 CFR 25 (see www.faa.gov/certification/aircraft/ click on 'Transport Airplanes' then click on 'Regulations Part 25'). In certifying products, the FAA uses performance-based safety standards and can not prescribe the use of any specific products, such as your patented systems.

The FAA will change the airworthiness standards if it concludes that it is needed to provide an adequate level of safety and the new standard can be practically implemented by the industry. In the case where implementing a new standard is not practical but the safety need exists, the FAA will conduct research, engineering, and development (R,E&D) to remove these barriers. The FAA will not prescribe the use of any product as a result of its safety R,E&D.

The FAA may also change its airworthiness standards based on sufficient data provided by the public. If you feel the current airworthiness standards pertaining to crashworthiness are insufficient, I recommend that you pursue a petition for rulemaking. The process for petition for rulemaking is outlined in our website (see www.faa.gov/avr/arm/ click on 'How to petition for Exemption or Rulemaking'). The FAA may initiate rulemaking based on compelling arguments but any resultant airworthiness standard will be a performance-based safety standard and will not prescribe any specific product.

BEST AVAILABLE COPY

The FAA does not certify patents as requested in your letter but we do certify changes to a type design, such as your restraint and rescue systems. In the case of a German citizen or company requesting FAA approval, the bilateral agreement between the United States and Germany would require that a German approval be obtained prior to obtaining FAA approval. Also, there may be additional limitations placed depending on the product being modified. If you wish to pursue design approval and installation of your systems on specific aircraft, I suggest you contact the Luftfahrt – Bundesamt (LBA) at the following address:

Luftfahrt – Bundesamt
Certification / Environmental Protection
Hermann Blenkstraβe 26
Postfach 3054
D-38020 Braunschweig
Germany

If you apply for LBA approval, you need to mention that you also seek FAA Supplemental Type Certification (STC) approval. The LBA will require you to provide specific information that will be forwarded to the FAA Aircraft Certification Office that will be assigned to validate the LBA approval and issue a FAA STC.

You can get information on FAA's STC process by going to our website (see www.faa.gov/certification/aircraft/ click on 'Supplemental Type Certificates'). This address has links to two documents that will specifically outline the steps in the STC process: Order 8110.4B, Type Certification, and AC 21-40, Application Guide for Obtaining a Supplemental Type Certificate. The cost associated with developing the data to substantiate a certification is borne by the applicant. Also, while the FAA does not charge a fee for its services, the LBA may charge a fee for its services.

Finally, you may enter into an arrangement with an airplane manufacturer, or seat manufacturer for your seat belt designs. While the airplane manufacturer and seat manufacturer work together to ensure the seat, and its components meet all applicable regulations, the airlines drive the details of these designs. In regard to a Boeing contact, I believe the author of the Boeing letter, dated July 26, 2001, is an appropriate contact point. If you wish a higher level review of your proposal by Boeing refer your correspondence to Mr. James M. Jamieson, Senior Vice President, The Boeing Company, P.O. Box 3999, Seattle, WA 98124-2499.

I hope that this letter provides you with a more complete understanding of how aviation safety standards are developed and how aviation products meeting these standards are brought into the international aviation system.

Sincerely,

Thomas A. Boudreau,
Manager, Aircraft Certification Staff
FAA-Brussels

cc: AIR-120

U.S. Department
of Transportation
**Federal Aviation
Administration**

800 IndependenceAve SW
Washington DC 20591

MAY 27 2003

Dr. Ing. Giok Djien Go
Pfahlgraben. 45
D-65510 Idstein
Germany

Dear Dr. Ing. Giok Dijien Go:

This is in reply to your letter of March 27 in which you expressed concern over the possibility of emergency exits in a passenger aircraft becoming unavailable for passenger egress as a result of events in a crash landing.

The Federal Aviation Administration (FAA) and the aviation industry have been aware for some time of various means for assuring the opening and accessibility of emergency exits following a survivable crash landing. An exit might be rendered unusable for a number of reasons, including fuel fire inside or outside the cabin, structural jamming, obstruction by disoriented or incapacitated persons, escape slide damage, or other causes. Numerous concepts for assuring the accessibility of exits have been suggested to the FAA in the past. Several years ago the FAA was involved in the evaluation of a unique experimental stored-energy, or explosive, exit-opening system that could create an opening in the cabin wall in the event the exit became unusable because of structural damage. The possibility of inadvertent actuation of such a system, however, raised major safety concerns.

Your letter does not specifically request funding for a proposal. It does, however, mention the matter of your patented systems. We would like to point out that the FAA does not fund the proof-of-concept development of aircraft designs involving basic concepts that are common knowledge throughout the industry. Such development is more appropriately carried out by competitive private enterprise, taking into consideration the important non-safety characteristics and trade-offs between performance, design details, cost, maintainability, and other factors that ultimately determine the configuration, efficacy, and marketability of the system.

BEST AVAILABLE COPY

If you wish to consider further development of your ideas, the FAA is most willing to provide advice and guidance regarding airworthiness certification of equipment for use in civil aircraft. Please contact the Brussels Aircraft Certification Staff of the FAA, as follows:

Thomas A. Boudreau, Manager
Brussels Aircraft Certification Staff
27, Boulevard du Regent
B-1000 Brussels Belgium

Telephone 011.32.2.508.2710
Fax 011.32.2.230.6899

Thank you for your interest and effort in improving aviation safety.

Sincerely,

Susan K. McCahler
FOR David Hempe
Aircraft Engineering Division

BEST AVAILABLE COPY

EUROPEAN COMMISSION
ENTERPRISE DIRECTORATE-GENERAL

Single market, implementation and legislation for consumer goods
Automotive industry

Eur

28.07.2003-007537

Brussels,
ENTR/F/5 JPD/nb/D(2003)755440

BEST AVAILABLE COPY

Dr–Ing Giok Djien Go
Pfahlgrabenstrasse 45
D – 65510 IDSTEIN

Subject: Substitution of air-bags and patents concerning safety belts

Dear Dr. Go,

Commissioner Liikanen has forwarded to me the file you sent on 14th April to Commissioner Wallström and requested that I should reply to you on his behalf.

Though I already sent you a reply on 20 March 2003 to the previous letters that you sent to the Commission, I would like to comment briefly some points mentioned in your file.

1. SUBSTITUTION OF AIR-BAGS

Air-bags have been developed to provide better protection to vehicle occupants in different types of accidents, including those where the occupants do not use their safety belts for some reason.

Air-bags originally fitted in vehicles are not regulated in the Directives of the European Union. Neither Directive 96/27/EC on side impact nor Directive 96/79/EC on frontal impact requires air-bags to be fitted to comply with the prescriptions of these directives.

Concerning your proposal to substitute air-bags for the purposes of protection of the environment, you should consider that Annex I to Directive 2000/53/EC on end-of life vehicles [1] prescribes that air-bags should be removed or neutralised from end-of-life vehicles before any further after-treatment could be applied.

Lastly, I would like to stress that nothing prevents a manufacturer from using your patents with a view to complying with Directives 96/27/EC and 96/79/EC.

../..

1 Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (*Official Journal L 269, 21/10/2000 P.34)*

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Telephone: direct line (+32-2)29.98.296; Fax: 29.69.637.
Jean-paul.delneufcourt@cec.eu.int

2. EURO NCAP TESTS

Euro NCAP was established in 1997 with a view to encouraging significant safety improvements to new car design. It is supported by some Member States, the European Commission, motoring and consumer organisations.

I note your reservation about the appropriateness of the tests performed by Euro NCAP. I would recommend that you contact the consortium in order to present your ideas and get a first feedback.

3. PATENTS CONCERNING SAFETY BELTS

As I said in my previous letter I would recommend that your proposals are assessed by comparing them with the current solutions, by means of tests performed on vehicles.

I would also like to recall once again that Directive 77/541/EEC on seat belt installation [2] does not prevent a manufacturer from installing types of seat belts other than three-point belts, provided they comply with the technical provisions of Directive 77/541/EEC.

Yours sincerely,

Per-Ove Engelbrecht
Head of unit

Copy to Mr. Cozigou, Deputy Head of Cabinet;
Mr. Theologitis, Head of Unit, Directorate-General for Energy and Transport;
Ms. Klingbeil, Head of Unit, Directorate-General for Environment.

BEST AVAILABLE COPY

2 Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (*Official Journal L 220, 29/08/1977 P. 95)*

EUROPEAN COMMISSION
ENTERPRISE DIRECTORATE-GENERAL

Single market, implementation and legislation for consumer goods
Automotive industry

28.07.2003 007537

Brussels,
ENTR/F/5 JPD/nb/D(2003)755440

BEST AVAILABLE COPY

Dr-Ing Giok Djien Go
Pfahlgrabenstrasse 45
D – 65510 IDSTEIN

Subject: Substitution of air-bags and patents concerning safety belts

Dear Dr Go,

Commissioner Liikanen has forwarded to me the file you sent on 14th April to Commissioner Wallström and requested that I should reply to you on his behalf.

Though I already sent you a reply on 20 March 2003 to the previous letters that you sent to the Commission, I would like to comment briefly some points mentioned in your file.

1. SUBSTITUTION OF AIR-BAGS

Air-bags have been developed to provide better protection to vehicle occupants in different types of accidents, including those where the occupants do not use their safety belts for some reason.

Air-bags originally fitted in vehicles are not regulated in the Directives of the European Union. Neither Directive 96/27/EC on side impact nor Directive 96/79/EC on frontal impact requires air-bags to be fitted to comply with the prescriptions of these directives.

Concerning your proposal to substitute air-bags for the purposes of protection of the environment, you should consider that Annex I to Directive 2000/53/EC on end-of life vehicles [1] prescribes that air-bags should be removed or neutralised from end-of-life vehicles before any further after-treatment could be applied.

Lastly, I would like to stress that nothing prevents a manufacturer from using your patents with a view to complying with Directives 96/27/EC and 96/79/EC.

./..

1 Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (*Official Journal L 269, 21/10/2000 P.34)*

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Telephone: direct line (+32-2)29.98.296; Fax: 29.69.637.
Jean-paul.delneufcourt@cec.eu.int

BEST AVAILABLE COPY

2. EURO NCAP TESTS

Euro NCAP was established in 1997 with a view to encouraging significant safety improvements to new car design. It is supported by some Member States, the European Commission, motoring and consumer organisations.

I note your reservation about the appropriateness of the tests performed by Euro NCAP. I would recommend that you contact the consortium in order to present your ideas and get a first feedback.

3. PATENTS CONCERNING SAFETY BELTS

As I said in my previous letter I would recommend that your proposals are assessed by comparing them with the current solutions, by means of tests performed on vehicles.

I would also like to recall once again that Directive 77/541/EEC on seat belt installation [2] does not prevent a manufacturer from installing types of seat belts other than three-point belts, provided they comply with the technical provisions of Directive 77/541/EEC.

Yours sincerely,

Per-Olve Engelbrecht
Head of unit

Copy to Mr. Cozigou, Deputy Head of Cabinet;
Mr. Theologitis, Head of Unit, Directorate-General for Energy and Transport;
Ms. Klingbeil, Head of Unit, Directorate-General for Environment.

2 Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (*Official Journal L 220, 29/08/1977 P. 95)*

EUROPEAN COMMISSION
ENTERPRISE DIRECTORATE-GENERAL

Single market, implementation and legislation for consumer goods
Automotive Industry

Brussels, 04.06.2004 *005227
ENTR/F/5 JPD/mv/D(2004) 690315

Dr–Ing Giok Djien Go
Pfahlgrabenstrasse 45
D – 65510 IDSTEIN

Subject: Legislation relating to road safety

Dear Dr Go,

Thank you for your fax dated 11th May 2004, addressed to my predecessor Mr Per-Ove Engelbrecht.

It is important to remind you that the Community may adopt legislative measures in various specific areas, but always in accordance with the principle of 'subsidiarity' as set out in Article 5 of the Treaty. In this instance, the measures you recommend fall under the responsibility of the Member States and you should therefore contact the competent authorities of the Member States if you would wish to present proposals with a view to improving road safety, in general or to facilitating the action of the rescuers, in particular.

As regards the Euro NCAP consortium, please note that Professor Claes Tingvall, Director of Traffic Safety at the Swedish National Road Administration has been recently appointed as Chairman of the Consortium Euro NCAP. I suggest that you contact Mr Anders Lie [1], his collaborator at the Swedish National Road Administration ('Vägverket') - 78187 Borlänge, Sverige to express your concerns about the test procedures.

Yours sincerely,

p.o. Reinhard Schulte-Braucks
Head of Unit

Copy to Mr. Theologitis, Head of Unit, Directorate-General for Energy and Transport

1 anders.lie@vv.se

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Telephone: direct line (+32-2)29.98.296; Fax: 29.69.637.
Jean-paul.delneufcourt@cec.eu.int
F5/JPD/General Mail/04-120 Euro NCAP

U S APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/DE 98/03270	ATTORNEY'S DOCKET NUMBER

17. ☐ The following fees are submitted:	CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :		
Search Report has been prepared by the EPO or JPO **$910.00**		
International preliminary examination fee paid to USPTO (37 CFR 1.482) **$700.00**		
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) **$770.00**		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO **$1040.00**		
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) **$96.00**		
ENTER APPROPRIATE BASIC FEE AMOUNT =	$ 690	
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	41 - 20 =	21	X $22.00	$ 462	
Independent claims	5 - 3 =	2	X $80.00	$ 160	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $260.00	$ 260	
TOTAL OF ABOVE CALCULATIONS =				$ 1572	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also by filed (Note 37 CFR 1.9, 1.27, 1.28).				$ 786	
SUBTOTAL =				$ 786	
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				$	
TOTAL NATIONAL FEE =				$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property +				$	
TOTAL FEES ENCLOSED =				$	
				Amount to be: refunded	$
				charged	$

a. ☒ A check in the amount of $ 2000 to cover the above fees is enclosed.
two 1600 + 400

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

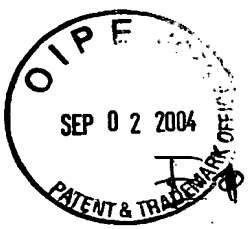
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.

See letter to "Deposit Account" Box 16

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Dr.-Ing. Giok Djien Go
Pfahlgrabenstr. 45
D-65510 Idstein
Germany



4/10/2000
10
19

SIGNATURE

Giok Djien Go
NAME

REGISTRATION NUMBER